

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	8:05CR187
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
TONIA PLUNK,)	
)	
Defendant.)	

Before the court is the government's motion for Rule 35(b) hearing. Filing No. 115. Having considered the matter,

IT IS ORDERED that:

1. A hearing on the government's Rule 35 motion is scheduled for hearing before the undersigned on **October 11, 2007, at 2:30 p.m.** in Courtroom No. 3, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

2. At the request of the defendant through her counsel, and with the agreement of the government, the defendant may be absent from the hearing on the Rule 35 motion.

3. The Marshal will not return the defendant to the district, and the defendant is held to have waived her right to be present.

DATED this 5th day of September, 2007.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON
United States District Judge